

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

Corinne Solomon,

Plaintiff,

v.

Brett Jacobson et al.,

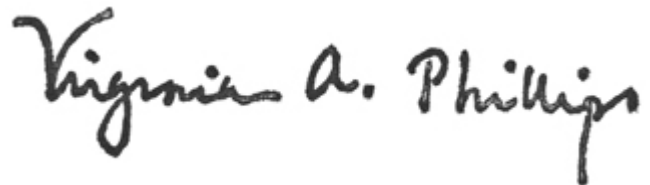
Defendants.

CV 15-01453-VAP (JPRx)

**ORDER TO SHOW CAUSE RE:  
ENTRY OF DEFAULT JUDGMENT**

On March 2, 2016, Plaintiff Corinne Solomon (“Plaintiff”) filed her Motion for Default Judgment (“Default Motion”) against Defendant Lotto Lotto Gamz Etc., Inc. (“Defendant”). (Doc. 33.) Plaintiff “must apply for entry of default before default judgment can be entered.” See Bates v. Osborn, No. CIV S-06-1035 WBS EFB PS, 2007 WL 274375, at \*4 (E.D. Cal. Jan. 29, 2007) (citing Fed. R. Civ. P. 55(a)). Here, Plaintiff’s counsel cites to the Court’s January 21, 2016 Order, in which the Court admonished Defendant that “[f]ailure to retain counsel promptly *may* result in . . . entry of its default.” (Order (Doc. 30) at 2 (emphasis added).) Defendant Lotto has not obtained counsel, and the Court has not entered default against it. Plaintiff has also failed entirely to address the seven factors the Ninth Circuit requires a district court to consider before it enters default judgment against a party. See Eitel v. McCool, 782 F.2d 1470, 1471-72 (9th Cir. 1986). Accordingly, Plaintiff’s Default Motion is DENIED WITHOUT PREJUDICE, and she must apply to the clerk for entry of default by March 25, 2016. She must file a renewed motion for default judgment, if any, addressing the Eitel factors by April 8, 2016.

IT IS SO ORDERED.



Dated: 3/23/16

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Virginia A. Phillips  
United States District Judge